

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JAMES WHEELER,

Plaintiff,

v.

Case No. 2:17-CV-51

NATIVE COMMERCE STUDIOS, LLC,

HON. GORDON J. QUIST

Defendant.

ORDER FOR ADDITIONAL BRIEFING

Pursuant to the Court's Order to Show Cause (ECF No. 23), the parties have filed briefs regarding whether the Court has subject matter jurisdiction over the instant action under the Class Action Fairness Act. Defendant raised a new argument in its brief that Plaintiff "cannot as a matter of law certify a nationwide class of consumers under each state's consumer protection statute or each state's common law." (ECF No. 25 at PageID.230.) Plaintiff will have fourteen days to file a sur-reply brief not to exceed five pages to address this argument.

Therefore,

IT IS HEREBY ORDERED that Plaintiff will file a sur-reply not to exceed five (5) pages within **fourteen (14) days** of the entry of this Order.

Dated: February 13, 2018

/s/ Gordon J. Quist

GORDON J. QUIST
UNITED STATES DISTRICT JUDGE